THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION NO.20842 OF 2007

Dated 8th October, 2007

Between:

M/s Ikon Capacitor Industries …Petitioner

And

The Commercial Tax Officer …Respondent

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION NO.20842 OF 2007

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

This writ petition is filed challenging the order of assessment dated 30-03-2007 mainly on the ground that this order was passed without any notice being served on the petitioner.

On instructions, learned Government Pleader for Commercial Taxes submits that the notice had been given on an address earlier furnished by the petitioner and no notice was given to him on his changed address, which had been notified to the Department and in a way it is conceded that the order impugned has been passed without notice.

Learned counsel for the parties agree that the writ petition be disposed of at this stage. Learned Government Pleader for Commercial Taxes submits that the impugned order be treated as a notice and the petitioner be directed to file reply within a reasonable time.

In this view of the matter, we allow the writ petition, quash the order dated 30-03-2007 and direct that the order dated 30-03-2007 be treated now as a show cause notice and the petitioner may file his reply to the competent authority within a period of fifteen (15) days from

today, who may dispose of the matter according to law thereafter. No order as to costs.

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Bilal Nazki, J

Dated 8th October, 2007

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D.Appa Rao, J

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